

TESTIMONY CONCERNING ADMINISTRATIVE AUTHORITY STRUCTURES
SUBMITTED TO THE CHARTER COMMISSION BY HORACE STOESSEL

Conventional wisdom holds that Kaua'i County has a "strong mayor" administration, and this is usually taken to mean that the mayor holds final and unlimited authority in administrative affairs. However, the charter significantly decentralizes administrative authority.

*It authorizes several boards and commissions to appoint department heads and to exercise certain oversight responsibilities.

*It authorizes department heads to appoint department members, including deputies, and to manage their departments.

*It grants approval power to the County Council with respect to mayoral appointments to boards and commissions, and in two cases equally divides appointing power between mayor and council.

One may infer from these facts that the charter places greater emphasis on mayoral leadership than on mayoral authority.

How effective is the system of decentralized authority? This question is a major component in the Charter Commission's mandate "to study and review the operation of the county government under this charter." Here are some subsidiary questions:

*Are appointments made in accordance with the charter? (A deputy county attorney announced in a meeting of the Salary Commission that "The mayor appoints deputies. The mayor appointed me.")

*Do officials (department heads, deputies, board/commission members) understand and exercise their rights and responsibilities? (The entire government accepted it when former Mayor Kusaka (illegally) transferred the deputy planning director to Public Works and appointed his successor and when the county attorney produced a bogus after-the-fact opinion justifying the mayor's actions.)

*What is the rationale for creating commissions as part of some, but not all, departments? For example, there is a Civil Service Commission but no commission in the vast Public Works department.

*What is the rationale for the gravitation of positions and functions to the mayor's office, either de novo or by transfer from existing departments? How has this piecemeal process impacted the charter's conceptual integrity?

*What is the rationale for departing from the original practice of "mayor appoints, council approves" by having the mayor and council appoint equal numbers and the appointees appoint one member in the case of the Salary Commission and the Cost Control Commission (both created by charter amendment)?

*What is the rationale for tying the terms of the Salary Commission and the Cost Control Commission to the terms of, respectively, the council and the mayor, thus depriving them of the continuity inherent in the original 3-year staggered terms mandated by charter?

*How effective is accountability in the decentralized administrative structure? This, I believe, is the key question in an evaluation of "the operation of the county government under this charter."

Our system of administration may be described as a hybrid political structure. The executive head and supervisor is an elected mayor. His aide is a political appointee. The charter requires no professional credentials for either position. Several department heads serve at the pleasure of the mayor, while others serve at the pleasure of semi-autonomous boards/commissions for whose members the charter provides little in the form of competency tests. The council has approval power with respect to the mayor's appointment of the county attorney.

Within this hybrid structure the issue of policies becomes both crucial and problematic. I believe an in-depth examination of this issue is warranted. Anyone who follows the council's interviews of administrative officials on Ho'ike frequently sees absence or inadequacy of policies and implementation of policies. The specific question I am raising is, to what extent are these failures attributable to the hybrid political structure?

NOTE ON THE OFFICE OF ADMINISTRATIVE ASSISTANT

The Charter nowhere designates the AA as an officer of the County. See especially Section 23.01D.

The primary role of the AA is defined as the mayor's "principal administrative aide" [7.06B(1)]. Acting as mayor under certain specified conditions is the only other duty under the charter.

Salary-wise, the office has grown in value in relation both to the mayor and to department heads, as illustrated below:

<u>Date</u>	<u>Mayor</u>	<u>Administrative Assistant</u>	<u>Department Head</u>
7/1/73	\$30,000	\$22,978	\$24,000
7/1/80	44,713	35,023	37,875
7/1/88	56,000	55,000	53,000
1/11/95	73,118	70,193	69,371
7/1/04	80,000	77,000	75,000